<center>Remarks</center>

Applicants and the undersigned would like to thank the Examiner for her efforts in the examination of this application. Reconsideration is respectfully requested.

I.   Election/Restrictions

The Examiner has imposed a restriction requirement between Group I, Claims 1-11, 18, and 19, and Group II, Claims 12-17 and 20.

Applicants hereby confirm the election without traverse of the claims of Group I. The claims of Group II have been withdrawn in the amended claim set.

Inventorship remains as filed.

II.   Rejection of Claims 6-11 under 35 USC 112

The Examiner has rejected Claims 6-11 under 35 USC 112, second paragraph, for indefiniteness.

Claims 6 and 7 have been amended to change "output budget data" to "output matched budget data". Antecedent basis is found for this element in Claim 2, line 14: "means for formatting and *outputting matched budget data* and a textual identifier . . .".

Claims 8-11, dependent from Claim 6, are believed free from indefiniteness as they do not contain further recitations on this element.

Claims 6-11 are now believed free from indefiniteness.

III.   **Rejection of Claims 2-11, 18, and 19 under 35 USC 101**

The Examiner has rejected Claims 2-11, 18, and 19 under 35 USC 101 as being directed to non-statutory subject matter.

This rejection is respectfully traversed. The Examiner, on page 4, §5, of the Action, states that "The language of the claims raises a question as to whether the claims are directed *merely to an environment or machine* which would result in a practical application producing a concrete useful, and tangible result to form the basis of statutory subject matter under 35 USC 101." [emph. added]

Respectfully, independent Claim 2 includes a recitation of "a budgetary information database comprising numerical data and textual identifiers imported from a plurality of remote sites, . . . the database configured into a coherent hierarchical format having accessible links to budget data for the plurality of subdivisions". Thus an element of Claim 2 is the database structured as recited, and not "merely an environment or machine". *In re Lowry* (32 F.3d 1579, (Fed. Cir. 1994)) claimed a data structure based on an attributive data model, which was found by the Court to represent patentable subject matter "Lowry does not seek to patent the Attributive data model in the abstract. Nor does he seek to patent the content of information resident in a database. Rather, Lowry's data structures impose a physical organization on the data." (32 F.3d at 1583)

Further, the Examiner asserts that "The claims are not statutory because they *merely recite a number of computing steps without producing any tangible result and/or being limited to a practical application.*" [emph. added]

Claim 2 recites the element of "means for formatting and outputting matched budget data and a textual identifier found from the database search commensurate with the selected subdivision". Therefore, there is a tangible result in the outputting of the matched budget data, and a practical application in the data-mining capabilities afforded by the invention as claimed.

The Examiner also states that "These claims appear to constitute *solely software per se*." [emph. added] Again, as discussed above, one of the elements recited is a database which is not software, nor are the elements of "means for receiving" and "means for outputting", which include means for accessing the database and means for outputting a report, for example, which also include elements for mediating the interaction between the database and the human user.

Therefore, it is respectfully believed that Claim 2, and hence Claims 3-11, 18, and 19 dependent therefrom, do recite patentable subject matter.

IV.   **Rejection of Claims 2, 3, and 6-10 under 35 USC 102**

The Examiner has rejected Claims 2, 3, and 6-10 under 35 USC 102(b) as being anticipated by Lyons et al. (US 5,189,608).

This rejection is respectfully traversed. Addressing independent Claim 2 first, Lyons does not teach the element of "textual identifiers extracted from the remote sites into a word processing application". Lyons only addresses importing data into "electronic worksheets," which are not word processing applications.

Further, Lyons does not teach the element of "the database configured into a coherent hierarchical format having accessible links to budget data for the plurality of

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subdivisions". Lyons discloses that "the system is able to locate the data in the spreadsheet", but there is no teaching or suggestion to supply the user an "accessible link to budget data", that is, a "hot link".

In addition, Lyons does not supply the element of "means for receiving a user selection of at least one subdivision for tracking". The "INPUT" function to which the Examiner points "allows the user to input data into a data base". This is not equivalent to receiving a user selection of a subdivision for tracking, which as disclosed in the Specification, is able to "track subdivisions of the budget database. . . This feature is built by using a software application that has been written to establish tracking records in a created tracking database for each item tracked. . . . When the tracking record, which is editable for the user, is opened, the original budget item document is retrieved and displayed within the same document, which enables the tracking item to appear as the user's private version of the original document, with the user's comments associated to the budget item. The user interface screen . . . triggers a polling of the subdivision related to that selection . . . to update the data each time the user accesses the system . . ."

There is neither a teaching nor a suggestion in Lyons to provide such a tracking of a user-selected subdivision.

Also, Lyons does not teach a "means for formatting and outputting matched budget data and a textual identifier found from the database search commensurate with the selected subdivision". At the cited portion of Lyons (col. 10, lines 3-6), Lyons teaches that "To accommodate manual data input as well as automatic data input from an ASCII file or from a work sheet file, the user must ordinarily create an input template." This is not equivalent to "formatting and outputting matched budget data and a textual identifier,"

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which is enabled by the textual identifiers' having been imported into a word processing program.

Finally, Lyons does not provide a "means for automatically updating the budget data and textual identifier of the selected subdivision upon subsequent user access." The Examiner points to col. 6, lines 23-34 to supply this feature. However, this portion of Lyons reads: "MAINTAIN allows *the user* to perform various data base management tasks such as creating, copying, or restoring a data base and password protection . . ." There is neither a teaching nor a suggestion to automatically update budged data or a textual identifier upon subsequent user access.

Therefore, for at least these reasons, Claim 2 is not anticipated by Lyons.

With respect to Claim 6, the Examiner points to Lyons at col. 6, lines 6-9, and col. 23, line 3, to supply the feature of "means for importing text material related to the output budget data into a word processing program". However, Lyons reads: "The INPUT function allows the user to *input data* into a *data base* from electronic worksheets, computer files or a keyboard." There is no teaching of a word processing program for use with *imported* data; the use of the word "imported" implies obtaining data from an electronic source, not from user input. Further, Lyons at col. 23, line 3, reads: "WORD PROCESSING allows the user to *access* available word processing packages." Again, there is no teaching to import textual identifiers into a word processing program.

Additionally, Lyons does not teach the element of "means for correlating the text material and the output budget data for presentation on a unitary screen." The cited portion of Lyons, in particular, Table XIV, "displays the choices of programs previously loaded into the computer system that can be accessed from within the computer system."

There is no teaching here to correlate text material and output budget data for presentation on a unitary screen as recited in Claim 6.

Therefore, for at least these reasons, Claim 6 is not anticipated by Lyons.

Claim 9 recites "means for importing with the budget data a number of personnel positions associated with each subdivision." The Examiner points to Lyons at col. 5, lines 34-35, and col. 6, lines 18-20 to supply this feature. However, Lyons discusses displayed screen elements on Table 1 and a TRANSFER function for use in transferring data. Applicants are puzzled as to the relevance of these elements to the instant feature of personnel position data importable into the database.

Therefore, Claim 9 is believed not to be anticipated by Lyons.

Claim 10 recites "means for importing with the budget data a contact agent associated with each subdivision, and for presenting a name of the contact agent and contact information for the contact agent." As disclosed in the instant Specification, this feature includes the presentation of "a list of contacts . . . associated with each subdivision/agency. This element is built by pulling personnel data imported . . . into a file. . . and creating a screen listing name and contact information. . ." Clearly, therefore, the "contact agent" is a person. Lyons, on the other hand, teaches at the cited portion "the computer application standardizes the way *financial information* is managed and analyzed" [col. 3, lines 7-9] and also that "subsidiaries are attached to the controlling entities." [col. 3, line 11] The word "entity" in Lyons is defined at col. 2, lines 43-44 as "the reporting group within the business organization (e.g., departments, divisions, subsidiaries)." There is no teaching to identify "personnel" in Lyons.

Therefore, for at least these reasons, Claim 10 is not anticipated by Lyons.

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Thus Claims 2, 6, 9, and 10 are not anticipated by Lyons, and Claims 3, 7, and 8 dependent therefrom are likewise not anticipated by Lyons.

V.   Rejection of Claims 1, 4, 5, 11, 18, and 19 under 35 USC 103(a)

The Examiner has rejected Claims 1, 4, 5, 11, 18, and 19 under 35 USC 103(a) as being unpatentable over Lyons in view of Northington et al. (US 6,128,602).

This rejection is respectfully traversed. As discussed above with reference to Claim 2, Lyons does not teach the elements of "textual identifiers extracted from the remote sites into a word processing application" or "the database configured into a coherent hierarchical format having accessible links to budget data for the plurality of subdivisions". The arguments will not be repeated here, and are incorporated from §IV above.

The Examiner acknowledges that Lyons does not teach the element of "presenting to the user a link for automatically notifying a contact agent within the organization that the created budget has been transmitted to the predetermined remote site, the contact agent appropriate to the subdivision." Northington is used to supply this feature. However, Northington at the cited text discloses an electronic mail server and providing graphical user interfaces for account inquiry, reporting, and maintenance [col. 10, lines 56-64] and also a report generator provided in response to a user request or automatically. [col. 8, lines 1-6] These elements are not the same as presenting a link for automatically notifying a contact agent within the organization that the created budget has been transmitted. Northington presents no such link that serves to notify a contact agent automatically.

Despite the statement in Northington that "there is a need for a system that enables easy, real-time consolidation, monitoring and control of an entity's transactions" [col. 2,

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lines 23-25], the system taught by Northington does not supply the automatic notification element recited in Claim 1.

Therefore, for at least these reasons, Claim 1 is patentable over the cited art.

Claim 11 recites that "the presented contact information comprises a direct contact electronic linkage therewith." The Examiner uses Northington to supply this feature; however, the cited portion of Northington, the same as that used with reference to Claim 1, does not teach this element, and therefore Claim 11 is patentable over the cited art.

Claim 18 recites "means for creating an electronic folder containing an electronic link to the selected subdivision." Claim 19 recites "means for receiving user comments and for storing the received user comments in the electronic folder." The Examiner again uses the same portions of Northington to supply these features, which, respectfully are not present therein, as there is no electronic link taught. Therefore, Claims 18 and 19 are patentable over the cited art.

Thus Claims 1, 11, 18, and 19, and Claims 4 and 5 dependent therefrom, patentably define over the cited art.

Conclusions

Applicants respectfully submit that the above amendments place this application in a condition for allowance, and passage to issue is respectfully solicited. Applicants and the undersigned would like to again thank the Examiner for her efforts in the examination of this application and for reconsideration of the claims as amended in light of the arguments presented. If the further prosecution of the application can be facilitated

through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

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